

State of South Dakota

EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

516T0783

HOUSE CONCURRENT RESOLUTION NO. 1009

Introduced by: Representatives Stricherz, Bolin, Brunner, Fargen, Hickey, Hubbel, Hunt, Iron Cloud III, Killer, Lucas, Lust, Olson (Betty), Russell, Schaefer, Verchio, and Willadsen and Senators Bradford, Kraus, Maher, Nygaard, and Tieszen

1 A CONCURRENT RESOLUTION, Urging the federal government to honor tribal identification
2 cards.

3 WHEREAS, tribal nations bear the same responsibilities as other jurisdictions for
4 identifying and protecting tribal citizens, as well as preparing for and responding to natural
5 disasters, terrorism, and other homeland security related events; and

6 WHEREAS, the United States government has the responsibility to protect tribal
7 sovereignty and to fulfill its trust obligations to Native American tribes and people; and

8 WHEREAS, the federal REAL ID Act mandates federal standards for state driver licenses
9 and identification cards and specifies the documents that states must require to issue driver
10 licenses, as well as placing uniform information on every driver license in a standard format.
11 The act also prohibits federal agencies and federally-regulated commercial aircraft from
12 accepting a driver license or identification card issued by a state that has not fully complied with
13 the act; and

14 WHEREAS, as a result of several post-9/11 laws, such as the REAL ID Act, the Western



1 Hemisphere Travel Initiative, and the Help America Vote Act, identification cards have been
2 required for a number of purposes, including obtaining Medicare benefits, voting, flying
3 domestically, obtaining a driver license, and entering federal facilities; and

4 WHEREAS, federal requirements relating to these laws have required the use of increasing
5 levels of technology and security measures in producing identification cards at the state level
6 and the use of additional documentation necessary to verify identity; and

7 WHEREAS, most Native American tribes issue tribal identification cards to their members.
8 Many tribal citizens do not have state or federal ID but have tribal identification; and

9 WHEREAS, the State of South Dakota currently allows the use of tribal identification cards
10 for a number of purposes, including voting, banking transactions, cashing checks, and tobacco
11 purchases; and

12 WHEREAS, many tribes are not currently able to issue identification cards that meet federal
13 requirements and will need federal assistance in acquiring the equipment and technology
14 necessary to comply with federal requirements relating to identification documents:

15 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
16 seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South
17 Dakota Legislature calls upon Congress and all states to recognize valid tribal government
18 identification cards for all official purposes for which identification cards are required, including
19 voting and obtaining driver licenses; and

20 BE IT FURTHER RESOLVED, that the Legislature requests the United States Congress and
21 the Department of Homeland Security, as part of their federal trust responsibility, to provide the
22 necessary technical assistance and resources for development and issuance of tribal
23 identification cards that meet appropriate technological and security standards.